

REMARKS

In accordance with the foregoing, claims 1, 14, 7, 20, 27, and 32 are amended. No new matter is added. Claims 10 and 23 are cancelled. Claims 1-36 are pending and under consideration.

ALLOWABLE SUBJECT MATTER

Applicant acknowledges with appreciation the indication that claims 10 and 23 contain allowable subject matter. Applicant added the recitations of original claims 10 and 23 to independent claims 7 and 20 from which claims 10 and 23 depend. Original claims 10 and 23 are cancelled. Thus, amended claims 7 and 20 are now allowable as corresponding to claims 10 and 23 which were indicated as allowable.

CLAIMS REJECTIONS UNDER 35 USC 103

Claims 1-9, 11-22 and 24-35 are rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 6,615,240 to Sullivan et al. (hereinafter "Sullivan") in view of Japanese Patent Application Publication No. 2001-125952 to Yukio et al. ("Yukio").

Independent claim 1 is directed to a client machine having a tentative service utilization section, a point value display section, and a regular service utilization procedure section. Claim 1 is amended herewith to specify that "a point value display section for displaying a point value [...] becoming a time available in the regular service if the client machine registers to the regular service within a lapse of a predetermined time from a beginning of utilization of the tentative service." The claim amendment is fully supported by the originally filed specification, for example, see FIGS. 6 and 7, and page 27 line 11 through page 29 line 25.

The Office Action submits that Sullivan fails to disclose the point value display section, but relies on Yukio to cure this deficiency. Yukio discloses a site management system which gives a customer points depending on the time an advertisement (commercial) is displayed on the customer's screen. The portions of Yukio indicated in the Office Action disclose adding points proportional to how long a user allows an advertisement to be displayed. However, Yukio and/or Sullivan do not teach or suggest that "the point value [becomes] a time available in the regular service if the client machine registers to the regular service within a lapse of a predetermined time from a beginning of utilization of the tentative service" as recited in amended claim 1. According to Yukio's disclosure the downloaded program is usable semipermanently as long as the advertisement information is displayed on the screen (see, for example, paragraph [0010] of

Yukio). Thus, claim 1 is patentable because Yukio and Sullivan alone or in combination fail to teach or suggest all the features of claim 1.¹

Dependent claims 2-6 and 36 are also patentable at least by inheriting patentable features from independent claim 1, but also by reciting additional independent features. For example, neither Sullivan nor Yukio teach or suggest "said point value display section displays a point value sequentially decreasing as time passes by when said tentative service utilization section is utilizing said tentative service." In Yukio, a point value can be only increased by adding points, while nothing like a decreasing point value is taught or suggested in Sullivan.

Independent claim 7 is amended herewith to incorporate the features recited in original claim 10 (now cancelled), which was indicated as allowable. Thus, claim 7 and claims 8, 9, and 11-13 depending from claim 7 are allowable.

Independent claim 14 is directed to a client program storage medium recording a client program which when executed by a computer determines the computer to perform as a client machine having a tentative service utilization section, a point value display section, and a regular service utilization procedure section. Amended independent claim 14, and claims 15-19 depending from claim 14 are patentable because Sullivan and Yukio alone or in combination fail to teach or suggest at least "a point value display section for displaying a point value sequentially changing independently from one or more other client machines when said tentative service utilization section is utilizing the tentative service, the point value becoming a time available in a regular service when the computer registers for the regular service within a lapse of a predetermined time from a beginning of utilization of the tentative service."

Independent claim 20 is amended herewith to incorporate the features originally recited in claim 23 (now cancelled). Thus, in light of the indication that original claim 23 recited allowable subject matter, amended claim 20 and claims 21, 22, and 24-26 depending from claim 20 are patentable.

Independent claim 27 is directed to a service providing method including providing the tentative service, storing a tentative service utilization time, accepting a procedure for utilizing the regular service, calculating a point value, and providing the regular service. Amended claim 27 and claims 28-31 depending from claim 27 are patentable because Sullivan and Yukio fail to

¹ See MPEP 2142 stating, as one of the three "basic criteria [that] must be met" in order to establish a *prima facie* case of obviousness, that "the prior art reference (or references when combined) must teach or suggest all the claim limitations," (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

teach or suggest at least " accepting a procedure for utilizing the regular service that is made by the user machine provided with the tentative service within a lapse of time from a beginning of utilization of the tentative service" and that "said accepting includes also accepting the point value sequentially changed when said procedure was accepted; and said providing includes providing the service corresponding to the accepted point value."

Independent claim 32 is directed to a service system including a server machine and at least one client machine. Claim 32 and claims 33-35 depending from claim 32 are patentable at least because Sullivan and Yukio fail to render obvious at least "a point value display section for displaying a point value sequentially changing independently from one or more other client machines as a time lapse available in the regular service passes by when said tentative service utilization section is utilizing the tentative service within a lapse of a predetermined time from a beginning of utilization of the tentative service" and features originally recited in claim 23 that was indicated as allowable.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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